

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GLORIA D. WISEMAN,

PLAINTIFF,

v.

ING GROEP, N.V., VOYA FINANCIAL, INC.,
AND RELIASTAR LIFE INSURANCE COMPANY
OF NEW YORK,

DEFENDANTS.

No. 1:16-CV-07587 (AJN)

DECLARATION OF MICHAEL T. LEIGH

I, Michael T. Leigh, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of eighteen and have personal knowledge of the matters set forth below, which are true and correct to the best of my knowledge and belief.

2. I am an attorney with the law firm of Stites & Harbison PLLC, 400 West Market Street, Suite 1800, Louisville, Kentucky 40202. I am one of the attorneys representing Defendants ReliaStar Life Insurance Company of New York and Voya Financial, Inc. in this action. I am licensed to practice law by the State of New York and the Commonwealth of Kentucky, and am admitted to practice in numerous federal courts, including this one.

3. I make this Declaration in support of Defendants ReliaStar Life Insurance Company of New York and Voya Financial, Inc.'s Motion to Dismiss the Complaint.

4. Attached hereto as Exhibit A is a true and correct copy of a letter from Plaintiff Gloria D. Wiseman to "Ms. Angela LeClair-Cardinal and Voya Staff Members,"

dated February 22, 2015, demanding to exchange the life insurance policy at issue in this case for another one.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23 day of November, 2016 in Louisville, Kentucky.

By: /s/ Michael T. Leigh
Michael T. Leigh

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2016 I served the foregoing document on all counsel of record through CM/ECF, and on the following by email:

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/s/ Michael T. Leigh
*Counsel for Voya Financial, Inc. and
ReliaStar Life Insurance Company of New York*